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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 JOHN ESPINOZA, an individual,) CASE NO. 07 CV 2218 LAB (RBB)
11)
12 Plaintiff,) DEFENDANT IRA GROSSMAN'S
13 v.) NOTICE OF MOTION AND MOTION
14) TO STRIKE PLAINTIFF'S COMPLAINT
15 CITY OF IMPERIAL, a public entity; MIGUEL) PURSUANT TO CALIFORNIA ANTI-
16 COLON, an individual; IRA GROSSMAN, an) SLAPP STATUTE
17 individual; and DOES 1-50, inclusive,)
Defendants.)
Date: June 2, 2008
Time: 11:15 a.m.
Judge: Hon. Larry A. Burns
Ctrm: 9

18 **[ORAL ARGUMENT REQUESTED]**

19 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

20 PLEASE TAKE NOTICE that on June 2, 2008, at 11:15 a.m., before the Honorable Larry A.
21 Burns, Courtroom 9, United States District Courthouse, 940 Front Street, San Diego, California,
22 Defendant Ira Grossman will and hereby does move to strike the Complaint filed by Plaintiff John
23 Espinoza, pursuant to the California Anti-SLAPP Statute.

24 This Motion is based upon Section 425.16 of the California Code of Civil Procedure, and is
25 brought on the grounds that:

- 26 1. Ira Grossman's Free Speech rights are implicated by Plaintiff's Complaint; and
27 2. Plaintiff cannot establish that there is a reasonable probability that he will prevail on his
28 claims against Ira Grossman.

1 This Motion is also based on the Memorandum of Points and Authorities and the Declaration
2 of Susan L. Oliver filed concurrently herewith, the Request for Judicial Notice filed herewith, the
3 pleadings and records on file herein and on any additional evidence, argument or authorities that may
4 be presented at the hearing on this Motion.

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6 Dated: April 7, 2008

WHITE, OLIVER & AMUNDSON

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By: s:/Susan L. Oliver

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Susan L. Oliver

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